

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	WT Docket No. 04-140
)	
Amendment of Part 97 of the Commission's Rules)	
Governing the Amateur Radio Services)	

COMMENT

Comment Date: April 18, 2004

The Commission has asked for comments on the proposal to allow Spread Spectrum emissions in the 1.25 metre band (Page 14, Item No. 23).

I support the expansion of spread spectrum emissions in any shape or form. The proposal by the Commission to include the 2 metre band (Page 15, No. 25) using the reasons stated, is historic, and well received by this licensee.

Using the Commissions logic, there is no reason to exclude any band from the use of spread spectrum emission type. Why stop at 2 metres? There is no reason to exclude any band, including MF, HF, or VHF, etc. The Commission should amend the rules to allow spread spectrum (at 100 W) in any band authorized. Further, the restriction on automatic transmitter control should be deleted. No one, not even the American Radio Relay League (ARRL) has provided a engineering method to satisfy this rule. No manufacturer has produced any device to enable this transmitter control. The result is that this emission is not used. By stating that we can use spread spectrum, and then tell us that we can only use it if we can find a flux capacitor and a litre of plutonium, is the same as not allowing the emission. Thus I have a proposal to make this work.

The current rules at 97.311(d) have restrictions that have proved to be impossible in practice. They must be deleted, or you might as well prohibit spread spectrum anywhere in the allocation. Change 97.311(d) from:

(d) The transmitter power must not exceed 100 W under any circumstances. If more than 1 W is used, automatic transmitter control shall limit output power to that which is required for the communication. This shall be determined by the use of the ratio, measured at the receiver, of the received energy per user data bit (E_b) to the sum of the received power spectral densities of noise (N_0) and co-channel interference (I_0). Average transmitter power over 1 W shall be automatically adjusted to maintain an $E_b/(N_0 + I_0)$ ratio of no more than 23 dB at the intended receiver.

To:

(d) The transmitter power must not exceed 100 W under any circumstances.

Respectfully submitted,

Steven R. Sampson, K5OKC
5600 SE 83rd St.
Oklahoma City, OK 73135